



**Minnesota Pollution
Control Agency**

520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 SWPPP Application for Reauthorization

for the NPDES/SDS General Small Municipal Separate
Storm Sewer System (MS4) Permit MNR040000
reissued with an effective date of August 1, 2013
Stormwater Pollution Prevention Program (SWPPP) Document

Doc Type: Permit Application

Instructions: This application is for authorization to discharge stormwater associated with Municipal Separate Storm Sewer Systems (MS4s) under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit Program. **No fee** is required with the submittal of this application. Please refer to "Example" for detailed instructions found on the Minnesota Pollution Control Agency (MPCA) MS4 website at <http://www.pca.state.mn.us/ms4>.

Submittal: This *MS4 SWPPP Application for Reauthorization* form must be submitted electronically via e-mail to the MPCA at ms4permitprogram.pca@state.mn.us from the person that is duly authorized to certify this form. All questions with an asterisk (*) are required fields. All applications will be returned if required fields are not completed.

Questions: Contact Claudia Hochstein at 651-757-2881 or claudia.hochstein@state.mn.us, Dan Miller at 651-757-2246 or daniel.miller@state.mn.us, or call toll-free at 800-657-3864.

General Contact Information (*Required fields)

MS4 Owner (with ownership or operational responsibility, or control of the MS4)

*MS4 permittee name: City of Grand Rapids *County: Itasca
(city, county, municipality, government agency or other entity)

*Mailing address: 420 N Pokegama Avenue

*City: Grand Rapids *State: MN *Zip code: 55744

*Phone (including area code): 218-326-7625 *E-mail: jkennedy@ci.grand-rapids.mn.us

MS4 General contact (with Stormwater Pollution Prevention Program [SWPPP] implementation responsibility)

*Last name: Kennedy *First name: Julie
(department head, MS4 coordinator, consultant, etc.)

*Title: City Engineer

*Mailing address: 420 N Pokegama Avenue

*City: Grand Rapids *State: MN *Zip code: 55744

*Phone (including area code): 218-326-7625 *E-mail: jkennedy@ci.grand-rapids.mn.us

Preparer information (complete if SWPPP application is prepared by a party other than MS4 General contact)

Last name: _____ First name: _____
(department head, MS4 coordinator, consultant, etc.)

Title: _____

Mailing address: _____

City: _____ State: _____ Zip code: _____

Phone (including area code): _____ E-mail: _____

Verification

1. I seek to continue discharging stormwater associated with a small MS4 after the effective date of this Permit, and shall submit this *MS4 SWPPP Application for Reauthorization* form, in accordance with the schedule in Appendix A, Table 1, with the SWPPP document completed in accordance with the Permit (Part II.D.). ☒ Yes
2. I have read and understand the NPDES/SDS MS4 General Permit and certify that we intend to comply with all requirements of the Permit. ☒ Yes

Certification (All fields are required)

- ☒ Yes - I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

I certify that based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of civil and criminal penalties.

This certification is required by Minn. Stat. §§ 7001.0070 and 7001.0540. The authorized person with overall, MS4 legal responsibility must certify the application (principal executive officer or a ranking elected official).

By typing my name in the following box, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

Name: Julie Kennedy
(This document has been electronically signed)

Title: City Engineer Date (mm/dd/yyyy): 09/30/2013

Mailing address: 420 N Pokegama Avenue

City: Grand Rapids State: MN Zip code: 55744

Phone (including area code): 218-326-7625 E-mail: jkennedy@ci.grand-rapids.mn.us

Note: The application will not be
processed without certification.

Stormwater Pollution Prevention Program Document

I. Partnerships: (Part II.D.1)

- A. List the **regulated small MS4(s)** with which you have established a partnership in order to satisfy one or more requirements of this Permit. Indicate which Minimum Control Measure (MCM) requirements or other program components that each partnership helps to accomplish (List all that apply). Check the box below if you currently have no established partnerships with other regulated MS4s. If you have more than five partnerships, hit the tab key after the last line to generate a new row.

☒ No partnerships with regulated small MS4s

Name and description of partnership	MCM/Other permit requirements involved

- B. If you have additional information that you would like to communicate about your partnerships with other regulated small MS4(s), provide it in the space below, or include an attachment to the SWPPP Document, with the following file naming convention: *MS4NameHere_Partnerships*.

II. Description of Regulatory Mechanisms: (Part II.D.2)

Illicit discharges

- A. Do you have a regulatory mechanism(s) that effectively prohibits non-stormwater discharges into your small MS4, except those non-stormwater discharges authorized under the Permit (Part III.D.3.b.)? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

☒ Ordinance ☐ Contract language
☐ Policy/Standards ☒ Permits
☐ Rules
☐ Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_IDDEreg*.

2. If **no**:

Describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

Construction site stormwater runoff control

- A. Do you have a regulatory mechanism(s) that establishes requirements for erosion and sediment controls and waste controls? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- ☒ Ordinance ☐ Contract language
☐ Policy/Standards ☒ Permits
☐ Rules
☐ Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

- ☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_CSWreg*.

- B. Is your regulatory mechanism at least as stringent as the MPCA general permit to Discharge Stormwater Associated with Construction Activity (as of the effective date of the MS4 Permit)? ☒ Yes ☐ No

If you answered **yes** to the above question, proceed to C.

If you answered **no** to either of the above permit requirements listed in A. or B., describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

- C. Answer **yes** or **no** to indicate whether your regulatory mechanism(s) requires owners and operators of construction activity to develop site plans that incorporate the following erosion and sediment controls and waste controls as described in the Permit (Part III.D.4.a.(1)-(8)), and as listed below:

- | | |
|--|---|
| 1. Best Management Practices (BMPs) to minimize erosion. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. BMPs to minimize the discharge of sediment and other pollutants. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. BMPs for dewatering activities. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Site inspections and records of rainfall events | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. BMP maintenance | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. Management of solid and hazardous wastes on each project site. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 7. Final stabilization upon the completion of construction activity, including the use of perennial vegetative cover on all exposed soils or other equivalent means. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 8. Criteria for the use of temporary sediment basins. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

Post-construction stormwater management

- A. Do you have a regulatory mechanism(s) to address post-construction stormwater management activities? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- ☐ Ordinance ☐ Contract language
☒ Policy/Standards ☐ Permits
☐ Rules
☒ Other, explain: The City will be amending the current stormwater ordinance to include the post-construction stormwater management program that is outlines in a policy. This work will be completed by June 2014.

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_PostCSWreg*.

B. Answer **yes** or **no** below to indicate whether you have a regulatory mechanism(s) in place that meets the following requirements as described in the Permit (Part III.D.5.a.):

1. **Site plan review:** Requirements that owners and/or operators of construction activity submit site plans with post-construction stormwater management BMPs to the permittee for review and approval, prior to start of construction activity. ☒ Yes ☐ No
2. **Conditions for post construction stormwater management:** Requires the use of any combination of BMPs, with highest preference given to Green Infrastructure techniques and practices (e.g., infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):
 - a. For new development projects – no net increase from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No
 - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of Total Suspended Solids (TSS).
 - 3) Stormwater discharges of Total Phosphorus (TP).
 - b. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No
 - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of TSS.
 - 3) Stormwater discharges of TP.
3. **Stormwater management limitations and exceptions:**
 - a. Limitations
 - 1) Prohibit the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) when the infiltration structural stormwater BMP will receive discharges from, or be constructed in areas: ☐ Yes ☒ No
 - a) Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
 - b) Where vehicle fueling and maintenance occur.
 - c) With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
 - d) Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.
 - 2) Restrict the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), without higher engineering review, sufficient to provide a functioning treatment system and prevent adverse impacts to groundwater, when the infiltration device will be constructed in areas: ☐ Yes ☒ No
 - a) With predominately Hydrologic Soil Group D (clay) soils.
 - b) Within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features.
 - c) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13.
 - d) Where soil infiltration rates are more than 8.3 inches per hour.
 - 3) For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), the permittee's regulatory mechanism(s) may allow exceptions as described in the Permit (Part III.D.5.a(3)(b)). The permittee's regulatory mechanism(s) shall ensure that a reasonable attempt be made to obtain right-of-way during the project planning process. ☐ Yes ☒ No

4. **Mitigation provisions:** The permittee's regulatory mechanism(s) shall ensure that any stormwater discharges of TSS and/or TP not addressed on the site of the original construction activity are addressed through mitigation and, at a minimum, shall ensure the following requirements are met:
- a. Mitigation project areas are selected in the following order of preference:
 - 1) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
 - 2) Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
 - 3) Locations in the next adjacent DNR catchment area up-stream
 - 4) Locations anywhere within the permittee's jurisdiction.
 - b. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP.
 - c. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part.
 - d. Mitigation projects shall be completed within 24 months after the start of the original construction activity.
 - e. The permittee shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part.
 - f. If the permittee receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management in Part III.D.5.a(2), the permittee shall apply any such payment received to a public stormwater project, and all projects must be in compliance with Part III.D.5.a(4)(a)-(e).
5. **Long-term maintenance of structural stormwater BMPs:** The permittee's regulatory mechanism(s) shall provide for the establishment of legal mechanisms between the permittee and owners or operators responsible for the long-term maintenance of structural stormwater BMPs not owned or operated by the permittee, that have been implemented to meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)). This only includes structural stormwater BMPs constructed after the effective date of this permit and that are directly connected to the permittee's MS4, and that are in the permittee's jurisdiction. The legal mechanism shall include provisions that, at a minimum:
- a. Allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines that the owner and/or operator of that structural stormwater BMP has not conducted maintenance.
 - b. Include conditions that are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party.
 - c. Include conditions that are designed to protect/preserve structural stormwater BMPs and site features that are implemented to comply with the Permit (Part III.D.5.a(2)). If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) continue to be met.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within twelve (12) months of the date permit coverage is extended, these permit requirements are met:

We are in the process of updating our Policy to address Post Construction BMPs and long-term maintenance of the sites. The policy will be completed prior to June 2014.

III. Enforcement Response Procedures (ERPs): (Part II.D.3)

- A. Do you have existing ERPs that satisfy the requirements of the Permit (Part III.B.)? ☒ Yes ☐ No
- 1. If **yes**, attach them to this form as an electronic document, with the following file naming convention: *MS4NameHere_ERPs*.
 - 2. If **no**, describe the tasks and corresponding schedules that will be taken to assure that, with twelve (12) months of the date permit coverage is extended, these permit requirements are met:

B. Describe your ERPs:

The City's procedure to address an observed violation is to document the situation, contact the property owner and/or contractor of the violation, notify the owner in writing using the attached form, and conduct a follow up inspection. The process is repeated until the violation is resolved or there is a referral to another regulatory agency.

IV. Storm Sewer System Map and Inventory: (Part II.D.4.)

A. Describe how you manage your storm sewer system map and inventory:

The City maintains an up-to-date GIS storm sewer system and uses a GIS integrated CityWorks software to process work orders and maintain inventory and maintenance records.

B. Answer **yes** or **no** to indicate whether your storm sewer system map addresses the following requirements from the Permit (Part III.C.1.a-d), as listed below:

1. The permittee's entire small MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes. ☒ Yes ☐ No
2. Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinate. ☒ Yes ☐ No
3. Structural stormwater BMPs that are part of the permittee's small MS4. ☒ Yes ☐ No
4. All receiving waters. ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C. Answer **yes** or **no** to indicate whether you have completed the requirements of 2009 Minnesota Session Law, Ch. 172. Sec. 28: with the following inventories, according to the specifications of the Permit (Part III.C.2.a.-b.), including:

1. All ponds within the permittee's jurisdiction that are constructed and operated for purposes of water quality treatment, stormwater detention, and flood control, and that are used for the collection of stormwater via constructed conveyances. ☒ Yes ☐ No
2. All wetlands and lakes, within the permittee's jurisdiction, that collect stormwater via constructed conveyances. ☒ Yes ☐ No

D. Answer **yes** or **no** to indicate whether you have completed the following information for each feature inventoried.

1. A unique identification (ID) number assigned by the permittee. ☒ Yes ☐ No
2. A geographic coordinate. ☒ Yes ☐ No
3. Type of feature (e.g., pond, wetland, or lake). This may be determined by using best professional judgment. ☒ Yes ☐ No

If you have answered **yes** to all above requirements, and you have already submitted the Pond Inventory Form to the MPCA, then you do not need to resubmit the inventory form below.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

E. Answer **yes** or **no** to indicate if you are attaching your pond, wetland and lake inventory to the MPCA on the form provided on the MPCA website at: <http://www.pca.state.mn.us/ms4>, according to the specifications of Permit (Part III.C.2.b.(1)-(3)). Attach with the following file naming convention: *MS4NameHere_inventory*. ☐ Yes ☐ No

If you answered **no**, the inventory form must be submitted to the MPCA MS4 Permit Program within 12 months of the date permit coverage is extended.

V. Minimum Control Measures (MCMs) (Part II.D.5)

A. MCM1: Public education and outreach

1. The Permit requires that, within 12 months of the date permit coverage is extended, existing permittees revise their education and outreach program that focuses on illicit discharge recognition and reporting, as well as other specifically selected stormwater-related issue(s) of high priority to the permittee during this permit term. Describe your **current** educational program, including **any high-priority topics included**:

The City's current program includes creating and distributing educational materials as well as cooperation with area K-12 schools and other community groups to increase our citizen's awareness and understanding of stormwater issues.

- List the categories of BMPs that address your public education and outreach program, including the distribution of educational materials and a program implementation plan. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the U.S. Environmental Protection Agency's (EPA) *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Distribute Educational Materials	Maintain website, brochures at City, articles in newspaper - currently
Implement Education Program	Distribute literature to developers, community groups - currently
Education Program	Increase awareness, clean up efforts, flyers - currently
Coordination of Education Program	Work with Itasca County, maintaining website links - currently
Annual Public Meeting	Council meeting in February to present progress - currently
Storm Water Utility Fund	Fund to help pay for Stormwater related projects - currently
BMP categories to be implemented	Measurable goals and timeframes
Update goals of Existing BMPS	ICC students assessments of outreach effectiveness – June 2014

- Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Julie Kennedy, City Engineer and Jeff Davies, Public Works Director

B. MCM2: Public participation and involvement

- The Permit (Part III.D.2.a.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement a public participation/involvement program to solicit public input on the SWPPP. Describe your current program:

The City's current program includes opportunities for the public to get involved in the City's stormwater program through newspaper notifications of public meetings and website contact forms.

- List the categories of BMPs that address your public participation/involvement program, including solicitation and documentation of public input on the SWPPP. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Comply with Public Notice	Provide 30 day notice of annual meeting in February - currently
Solicit Input and Opinion on Adequacy of SWPPP	Solicit written and oral public input - currently
Consider Public Input	Consider written and oral public input - currently
BMP categories to be implemented	Measurable goals and timeframes
Update Website on Stormwater	Provide Stormwater information to public - June 2014

3. Do you have a process for receiving and documenting citizen input? ☒ Yes ☐ No

If you answered **no** to the above permit requirement, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Julie Kennedy, City Engineer and Jeff Davies, Public Works Director

C. MCM 3: Illicit discharge detection and elimination

1. The Permit (Part III.D.3.) requires that, within 12 months of the date permit coverage is extended, existing permittees revise their current program as necessary, and continue to implement and enforce a program to detect and eliminate illicit discharges into the small MS4. Describe your current program:

The City's program includes a map of the storm water infrastructure which helps manage the illicit discharge detection and elimination program.

2. Does your Illicit Discharge Detection and Elimination Program meet the following requirements, as found in the Permit (Part III.D.3.c.-g.)?

- | | |
|---|---|
| a. Incorporation of illicit discharge detection into all inspection and maintenance activities conducted under the Permit (Part III.D.6.e.-f.) Where feasible, illicit discharge inspections shall be conducted during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Detecting and tracking the source of illicit discharges using visual inspections. The permittee may also include use of mobile cameras, collecting and analyzing water samples, and/or other detailed procedures that may be effective investigative tools. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| c. Training of all field staff, in accordance with the requirements of the Permit (Part III.D.6.g.(2)), in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| d. Identification of priority areas likely to have illicit discharges, including at a minimum, evaluating land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| e. Procedures for the timely response to known, suspected, and reported illicit discharges. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| f. Procedures for investigating, locating, and eliminating the source of illicit discharges. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| g. Procedures for responding to spills, including emergency response procedures to prevent spills from entering the small MS4. The procedures shall also include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| h. When the source of the illicit discharge is found, the permittee shall use the ERPs required by the Permit (Part III.B.) to eliminate the illicit discharge and require any needed corrective action(s). | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

City Staff will be attending training within the next 12 months.

3. List the categories of BMPs that address your illicit discharge, detection and elimination program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories

Measurable goals and timeframes

Storm Sewer System Map	Maintain existing GIS-based map - currently
Regulatory Control Program	Review ordinances to determine adequacy, update if needed - currently
Illicit Discharge Detection and Elimination Plan	Respond to complaints, regular visual inspection - currently
Public Employee Illicit Discharge Information Program	Distribute new information, conduct or obtain regular training - currently
Identification of Non Stormwater Discharge & Flow	Review list annually to evaluate significance of source - currently
BMP categories to be implemented	Measurable goals and timeframes

4. Do you have procedures for record-keeping within your Illicit Discharge Detection and Elimination (IDDE) program as specified within the Permit (Part III.D.3.h.)? ☒ Yes ☐ No
- If you answered **no**, indicate how you will develop procedures for record-keeping of your Illicit Discharge, Detection and Elimination Program, within 12 months of the date permit coverage is extended:

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Julie Kennedy, City Engineer and Jeff Davies, Public Works Director

D. MCM 4: Construction site stormwater runoff control

1. The Permit (Part III.D.4) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a construction site stormwater runoff control program. Describe your current program:

The City's program includes ordinances, documents, contracts, and permits to enforce construction site stormwater runoff.

2. Does your program address the following BMPs for construction stormwater erosion and sediment control as required in the Permit (Part III.D.4.b.):
- Have you established written procedures for site plan reviews that you conduct prior to the start of construction activity? ☒ Yes ☐ No
 - Does the site plan review procedure include notification to owners and operators proposing construction activity that they need to apply for and obtain coverage under the MPCA's general permit to *Discharge Stormwater Associated with Construction Activity No. MN R100001*? ☒ Yes ☐ No
 - Does your program include written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee? ☒ Yes ☐ No
 - Have you included written procedures for the following aspects of site inspections to determine compliance with your regulatory mechanism(s):
 - Does your program include procedures for identifying priority sites for inspection? ☒ Yes ☐ No
 - Does your program identify a frequency at which you will conduct construction site inspections? ☐ Yes ☒ No
 - Does your program identify the names of individual(s) or position titles of those responsible for conducting construction site inspections? ☒ Yes ☐ No
 - Does your program include a checklist or other written means to document construction site inspections when determining compliance? ☐ Yes ☒ No
 - Does your program document and retain construction project name, location, total acreage to be disturbed, and owner/operator information? ☒ Yes ☐ No
 - Does your program document stormwater-related comments and/or supporting information used to determine project approval or denial? ☒ Yes ☐ No
 - Does your program retain construction site inspection checklists or other written materials used to document site inspections? ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

The City is in the process of revising the documentation for staff to conduct inspections to include more detailed information, specifically checklists.

- List the categories of BMPs that address your construction site stormwater runoff control program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Ordinance or Other Regulatory Mechanism	ESC Ordinance - currently
Construction Site Implementation of ESC BMPs	Conduct plan reviews and conduct inspections - currently
Waste Controls for Construction Site Operators	Ordinance, inspections, and record of non-compliance - currently
Procedure for Site Plan Review	Document of Site Plan Review process, record of permits – currently
Establishment of Procedures for the Receipt and Consideration of Reports of Stormwater Non-compliance	Hotline on website and brochures, record calls, inspections, and follow-up actions - currently
Establishment of Procedures for Site Inspection and Enforcement	Procedure developed, record inspections, non-compliance - currently
BMP categories to be implemented	Measurable goals and timeframes
Site Inspection Procedure	Create Checklists – June 2014

- Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Julie Kennedy, City Engineer and Jeff Davies, Public Works Director

E. MCM 5: Post-construction stormwater management

- The Permit (Part III.D.5.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a post-construction stormwater management program. Describe your current program:

The City's program includes policies, documents, and applications to enforce post-construction stormwater management. We will be revising our current ordinance to include our post-construction stormwater management program that is currently outlined in a policy. This work will be done by June 2014.

- Have you established written procedures for site plan reviews that you will conduct prior to the start of construction activity? ☒ Yes ☐ No
- Answer **yes** or **no** to indicate whether you have the following listed procedures for documentation of post-construction stormwater management according to the specifications of Permit (Part III.D.5.c.):
 - Any supporting documentation that you use to determine compliance with the Permit (Part III.D.5.a), including the project name, location, owner and operator of the construction activity, any checklists used for conducting site plan reviews, and any calculations used to determine compliance? ☒ Yes ☐ No
 - All supporting documentation associated with mitigation projects that you authorize? ☒ Yes ☐ No
 - Payments received and used in accordance with Permit (Part III.D.5.a.(4)(f))? ☒ Yes ☐ No
 - All legal mechanisms drafted in accordance with the Permit (Part III.D.5.a.(5)), including date(s) of the agreement(s) and names of all responsible parties involved? ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the steps that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

- List the categories of BMPs that address your post-construction stormwater management program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Development and Implementation of Structural and/or Non-structural BMPs	Maintain database of BMPs installed, create inspection process - currently
Regulatory Mechanism to Address Post Construction Runoff from New Development and Redevelopment	Stormwater Ordinance
Long-term Operation and Maintenance of BMPs	Maintenance agreements on private BMPs, record and track - currently

BMP categories to be implemented	Measurable goals and timeframes

- Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Julie Kennedy, City Engineer and Jeff Davies, Public Works Director

F. MCM 6: Pollution prevention/good housekeeping for municipal operations

- The Permit (Part III.D.6.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement an operations and maintenance program that prevents or reduces the discharge of pollutants from the permittee owned/operated facilities and operations to the small MS4. Describe your current program:

The City's program includes training and regular maintenance procedures to prevent and reduce discharge of pollutants from City facilities and activities.

- Do you have a facilities inventory as outlined in the Permit (Part III.D.6.a.)? ☒ Yes ☐ No
- If you answered **no** to the above permit requirement in question 2, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

- List the categories of BMPs that address your pollution prevention/good housekeeping for municipal operations program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. For an explanation of measurable goals, refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Municipal Operations and Maintenance Program	Staff training, regular staff meetings discussing key issues - currently

Street Sweeping	Daily sweeping, record miles swept, record volume collected - currently
Annual Inspection of All Structural Pollution Control Devices	Annually inspect 100% of devices, record dates and conditions - currently
Annual Inspection of a Minimum of 20% of basins, ponds, outfalls, on rotating basis	Annually inspect 20% of devices, record dates and conditions - currently
Annual Inspection of Exposed stockpiles, storage, and Material Handling Areas	Inspect, record dates and conditions - currently
Inspection follow-up Including Determination if Repair Measures are Necessary	Inspect and Maintain system components to priority system established by City - currently
Record Reporting and Retention of All Inspections and Responses to Inspections	Track system in GIS-based database system - currently
Evaluation of Inspection Frequency	Re-evaluate schedule annually and adjust if warranted - currently
BMP categories to be implemented	Measurable goals and timeframes

5. Does discharge from your MS4 affect a Source Water Protection Area (Permit Part III.D.6.c.)? ☒ Yes ☐ No

a. If **no**, continue to 6.

b. If **yes**, the Minnesota Department of Health (MDH) is in the process of mapping the following items. Maps are available at <http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>. Is a map including the following items available for your MS4:

1) Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330? ☒ Yes ☐ No

2) Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13? ☒ Yes ☐ No

c. Have you developed and implemented BMPs to protect any of the above drinking water sources? ☒ Yes ☐ No

6. Have you developed procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater, according to the Permit (Part III.D.6.d.)? ☒ Yes ☐ No

7. Do you have inspection procedures that meet the requirements of the Permit (Part III.D.6.e.(1)-(3)) for structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas? ☒ Yes ☐ No

8. Have you developed and implemented a stormwater management training program commensurate with each employee's job duties that:

a. Addresses the importance of protecting water quality? ☒ Yes ☐ No

b. Covers the requirements of the permit relevant to the duties of the employee? ☒ Yes ☐ No

c. Includes a schedule that establishes initial training for new and/or seasonal employees and recurring training intervals for existing employees to address changes in procedures, practices, techniques, or requirements? ☒ Yes ☐ No

9. Do you keep documentation of inspections, maintenance, and training as required by the Permit (Part III.D.6.h.(1)-(5))? ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements listed in **Questions 5 – 9**, then describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

10. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

Julie Kennedy, City Engineer and Jeff Davies, Public Works Director

VI. Compliance Schedule for an Approved Total Maximum Daily Load (TMDL) with an Applicable Waste Load Allocation (WLA) (Part II.D.6.)

- A. Do you have an approved TMDL with a Waste Load Allocation (WLA) prior to the effective date of the Permit? ☐ Yes ☒ No

1. If **no**, continue to section VII.
2. If **yes**, fill out and attach the MS4 Permit TMDL Attachment Spreadsheet with the following naming convention: *MS4NameHere_TMDL*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VII. Alum or Ferric Chloride Phosphorus Treatment Systems (Part II.D.7.)

- A. Do you own and/or operate any Alum or Ferric Chloride Phosphorus Treatment Systems which are regulated by this Permit (Part III.F.)? ☐ Yes ☒ No

1. If **no**, this section requires no further information.
2. If **yes**, you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your small MS4, then you must submit the Alum or Ferric Chloride Phosphorus Treatment Systems Form supplement to this document, with the following naming convention: *MS4NameHere_TreatmentSystem*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VIII. Add any Additional Comments to Describe Your Program



City of Grand Rapids Storm Water Pollution Prevention Permit Application

www.grandrapidsmn.org

Storm Water Permit # _____ Building Permit # _____

Please fill out the following information as it pertains to the work to be done.

Applicant Name _____

Address of project _____

PIN # _____ Subdivision _____ Block _____ Lot(s) _____

If unplatted, please give legal description _____

Proposed Area of Disturbance _____

Purpose of Excavation Work _____

Type of Erosion Control Devices to be used _____

Property Owner _____ Phone _____

Address _____

Excavation Contractor _____

License No. _____ Phone _____

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of the Storm Water Ordinance and Laws governing this type of work will be complied with whether specified herein or not.

The Storm Water Protection Ordinance is available in the Engineering Office, 3rd Floor , City Hall, 420 Pokegama Ave N, Grand Rapids or on the web at www.grandrapidsmn.org.

Property Owner Signature _____ Date _____

Excavation Contractor Signature _____ Date _____

Approved by _____ Date _____

Comments _____

Permit Fee\$ _____

Type of Deposit (Circle One): Letter of Credit (LOC) - Cash - Check - Money Order - Credit Card

Please call (218)326-7601, to schedule an inspection once the soils on the construction site are considered stable for a release of your deposit. Thank you!

Councilor Christy introduced the following ordinance and moved for its adoption:

ORDINANCE NO. 10-04-03

AN ORDINANCE RESCINDING ORDINANCE 09-04-03 IN ITS ENTIRETY
AND ADOPTING NEW STORM WATER PROTECTION ORDINANCE

A. Scope

Except where a variance is granted, any person, firm, sole proprietorship, partnership, corporation, state agency, or political subdivision proposing a land disturbance activity, requiring a grading or building permit within the City shall submit to the City for review and comment on the Stormwater Pollution Prevention Plan (SWPPP) and site plan. No land shall be disturbed until the plan is reviewed by the City and conforms to the standards set forth herein and applicable permits have been issued.

The provisions of the Storm Water Protection Ordinance shall apply to all sites that will disturb the ground.

Sites that have one or more acres of disturbed ground shall obtain a MPCA NPDES Construction Permit in addition to a City Storm Water Permit. Sites that are less than one acre can be waived at the discretion of City staff and require compliance with the provisions of this ordinance to preserve or protect water quality or a downstream resource. Plowing of soil for farming or gardening is exempt and does not require a permit although disturbances must have a minimum of 25 feet buffer from any drainage ditch (top of slope), storm sewer system, wetland or waterway. Vegetation must exist within the 25 feet buffer.

The provisions of the Waste Controls and Illicit Discharge and Inspections and Enforcement sections of this ordinance apply to all areas within the City at all times.

The definitions of terms in this ordinance correspond to the definitions in the most current MPCA NPDES Construction Permit.

B. Erosion and Sediment Control

Erosion and sediment control, at a minimum, shall meet the requirements and provisions defined in the most current Minnesota Pollution Control Agency (MPCA) National Pollution Discharge Elimination System (NPDES) General Storm Water Permit for Construction Activities, also referred to as the NPDES Construction Permit.

C. Waste Controls and Illicit Discharge

1. Illegal Disposal

- a. No person shall throw, deposit, place, leave, maintain, or keep or permit to be thrown, placed, left, maintained or kept, any refuse, rubbish, garbage, or any other discarded or abandoned objects, articles, or accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure,

business place, or upon any public or private plot of land in the City, so that the same might be or become a pollutant, except in containers, recycling bags, or other lawfully established waste disposal facility.

b. No person shall intentionally dispose of grass, leaves, dirt, or other landscape debris into a water resource buffer, street, road, alley, catch basin, culvert, curb, gutter, inlet, ditch, natural watercourse, wetland, flood control channel, canal, storm drain or any fabricated natural conveyance.

2. Illicit Discharges and Connections

a. No person shall cause any illicit discharge to enter the municipal storm water system unless such discharge: (1) consists of non-storm water that is authorized by an NPDES point source permit obtained from the MPCA; or (2) is associated with fire fighting activities.

b. No person shall use any illicit connection to intentionally convey non-storm water to the City storm water system.

3. Good Housekeeping Provisions - Any owner or occupant of property within the City shall comply with the following good housekeeping requirements:

a. No person shall leave, deposit, discharge, dump, or otherwise expose any chemical or septic waste in an area where discharge to streets, storm drain system, or waters of the State as defined by the MPCA, may occur. This section shall apply to both actual and potential discharges.

b. Storage of Materials, Machinery, and Equipment

i. Objects, such as motor vehicle parts, containing grease, oil or other hazardous substances, and unsealed receptacles containing hazardous materials, shall not be stored in areas susceptible to runoff or discharge to a storm water system.

ii. Any machinery or equipment that is to be repaired or maintained in areas susceptible to runoff shall be placed in a confined area to contain or collect leaks, spills, or discharges without discharge to the storm water system.

iii. Any storage of materials that are exposed to the environment such as; salt, salt/sand or sand, that are susceptible to runoff or discharge into a storm water system, public or private, shall be covered in a manner that will eliminate the leeching of chemicals and/or sediment and must apply for storm water permit for inspection and monitoring.

c. Removal of Debris and Residue - Debris and residue shall be removed, as noted below:

- i. Fuel and chemical residue or other types of potentially harmful material, such as animal waste, garbage or batteries, which is located in an area susceptible to runoff, shall be removed as soon as possible and disposed of properly. Household hazardous waste shall not be placed in a trash container.

D. Storm Water Controls

A project that changes land use and/or runoff conditions will be required to maintain the existing peak flow rates and hydrologic conditions for the 2-year, 10-year, and 100-year rainfall events.

In addition, all storm water must be discharged in a manner that does not cause nuisance conditions, erosion in receiving channels or on downslope properties, or inundation in wetlands causing an adverse impact to the wetlands.

E. Maintenance Agreement for Privately Owned Storm Water Systems

For storm water systems that are on private property or owned by an entity other than the City and discharge within the City, an agreement for maintenance and inspections of the system must be submitted to and approved by the City.

F. Plan Review and Inspections

SWPPP Requirements. The SWPPP shall include all requirements of the most current NPDES Construction Permit and address the applicable provisions of this ordinance.

Inspections as defined in this provision do not fulfill the inspections and maintenance requirements as defined in the NPDES Construction Permit.

1. Review - City may review and comment on the SWPPP.

2. Modification of Plan. Modifications to the SWPPP or plans shall be submitted to the City for review.

G. Inspections and Enforcement.

1. City inspections and enforcement - The City may conduct inspections on a regular basis to monitor erosion and sediment control practices. In all cases the inspectors will attempt to work with the builder or developer to maintain proper erosion and sediment control at all sites. A charge of \$55.00 per hour will be assessed for any inspections that are necessary. In cases where cooperation is withheld, construction stop work orders may be issued by the City until erosion and sediment control measures meet the requirements of this ordinance.

2. Construction stop order -The City may issue construction stop orders until stormwater management measures meet specifications. A second stormwater management inspection must then be scheduled and passed before the final inspection will be done.

3. Perimeter breach - If stormwater management measures malfunction and breach the perimeter of the site, enter streets, other public areas, or water bodies, the applicant shall immediately notify the City and initiate corrective measures within 48 hours. If in the discretion of the City, the applicant does not repair the damage caused by the stormwater runoff, the City can do the remedial work required and charge the cost to the applicant.

4. Actions to ensure compliance -The City can take the following action in the event of a failure by applicant to meet the terms of this ordinance:

- a. Withhold inspections or issuance of certificates or approvals
- b. Revoke any permit issued by the City to the applicant
- c. Conduct remedial or corrective action on the development site or adjacent site affected by the failure
- d. Charge applicant for all costs associated with correcting the failure or mitigating damage from the failure. If payment is not made within thirty days, payment will be made from the applicant's financial securities.
- e. Bring other actions against the applicant to recover costs of remediation or meeting the terms of this ordinance, which are not covered by financial securities.
- f. Any person, firm or corporation failing to comply with or violating any of these regulations, shall be deemed guilty of a misdemeanor and be subject to a fine of \$1,000 or imprisonment of 90 days or both. Each day that a separate violation exists shall constitute a separate offense.

5. Financial Securities. The applicant shall provide security for the performance of the work described and delineated on the approved Stormwater Pollution Prevention Plan and related remedial work in an amount of \$1,000 for each parcel of disturbed property. This amount shall apply to the maximum acreage of soil that will be simultaneously exposed during the project's construction. The form of the securities shall be one or a combination of the following to be determined by the City:

a. **Cash deposit** -

b. **Securing deposit** - Deposit, either with the City, a responsible escrow agent, or trust company, at the option of the City.

i. an irrevocable letter of credit or negotiable bonds of the kind approved for securing deposits of public money or other instruments of credit from one or more financial institutions, subject to regulation by the state and federal government wherein said financial institution pledges funds are on deposit and guaranteed for payment. The security deposit shall have an expiration date of not less than one year after approval of the storm water permit.

This security shall save the City free and harmless from all suits or claims for damages resulting from the negligent grading, removal, placement or storage of rock, sand, gravel, soil or other like material within the city.

**Blanket Financial Security Deposit
(for Licensed Contractors for Multiple Residential Permits within a construction season.)**

Licensed contractors working within the City can provide \$1,000 cash or letter of credit, dated 1 year from the first application, to cover a permit. Upon completion of a parcel permit the contractor can transfer the letter of credit to another parcel permit. The contractor must notify the City of each new construction area by remitting an application. This financial security deposit will be held by the City until parcel work sites are substantially complete.

6. Maintaining the Financial Security. If at anytime during the course of the work this amount falls below 50% of the required deposit or the dated letter of credit expires, the developer shall make another deposit in the amount necessary to restore the cash deposit or letter of credit to the required amount. If the developer does not bring the financial security back up to the required amount within seven (7) days after notification by the City that the amount has fallen below 50% of the required amount the City may:

- a. **Withhold inspections** - Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy.
- b. **Revocation of permits** - Revoke any permit issued by the City to the applicant for the site in question or any other of the applicant's sites within the City's jurisdiction.

7. Proportional Reduction of the Financial Security. When more than one-third of the applicant's maximum exposed soil area achieves final stabilization, the City can reduce the total required amount of the financial security by one third. When more than two-thirds of the applicant's maximum exposed soil area achieves final stabilization, the City can reduce the total required amount of the financial security to two-thirds of the initial amount. This reduction in financial security will be determined by the City staff.

8. Action Against the Financial Security. The City may access financial security for remediation actions if any of the conditions listed below exist. The City shall use the security to finance remedial work undertaken by the City, or a private contractor under

contract to the City, and to reimburse the City for all direct cost incurred in the process of remedial work including, but not limited to, staff time and attorney's fees.

- a. **Abandonment** - The developer ceases land disturbing activities and/or filling and abandons the work site prior to completion of the grading plan.
- b. **Failure to implement SWPPP** - The developer fails to conform to the grading plan and/or the SWPPP as approved by the City.
- c. **Failure to perform** - The techniques utilized under the SWPPP fail within one year of installation.
- d. **Failure to reimburse City** - The developer fails to reimburse the City for corrective action taken.

9. Emergency Action. If circumstances exist such that noncompliance with this ordinance poses an immediate danger to the public health, safety and welfare, as determined by the City, the City may take emergency preventative action. The City shall also take every reasonable action possible to contact and direct the applicant to take any necessary action. Any cost to the City may be recovered from the applicant's financial security.

10. Returning the Financial Security. The security deposited for faithful performance of the SWPPP and any related remedial work shall be released after the completion of the installation of all stormwater pollution control measures as shown on the grading and/or the SWPPP and approval/acceptance of City staff.

11. Notification of Failure of the SWPPP. The City may notify the permit holder of the failure of the SWPPP's measures.

a. **Initial contact.** The initial contact will be to the party or parties listed on the application and/or the SWPPP as contacts. Except during an emergency action, forty-eight (48) hours after notification by the City of the failure of erosion control measures, or non-compliance of the permit, the City at its discretion, may begin corrective work. Such notification should be in writing, but if it is verbal, a written notification should follow as quickly as practical. If after making a good faith effort to notify the responsible party or parties, the City has been unable to establish contact, the City may proceed with corrective work. There are conditions when time is of the essence in controlling erosion. During such a condition the City may take immediate action, and then notify the applicant as soon as possible

b. **Erosion off-site.** If erosion breaches the perimeter of the site, the applicant shall immediately develop a cleanup and restoration plan, obtain the right-of-entry from the adjoining property owner, and implement the cleanup and restoration plan within forty-eight (48) hours of obtaining the adjoining property owner's

permission. In no case, unless written approval is received from the City, may more than seven (7) calendar days go by without corrective action being taken. If in the discretion of the City, the permit holder does not repair the damage caused by the erosion, the City may do the remedial work required. When restoration to wetlands and other resources are required, the applicant should be required to work with the appropriate agency to ensure that the work is done properly.

c. Erosion into streets, wetlands or water bodies. If eroded soils (including tracked soils from construction activities) enter or appear likely to enter streets, wetlands, or other water bodies, cleanup and repair shall be immediate. The applicant shall provide all traffic control and flagging required to protect the traveling public during the cleanup operations.

d. Failure to do corrective work. When an applicant fails to conform to any provision of this policy within the time stipulated, the City may take the following actions.

i. Issue a stop work order, withhold the scheduling of inspections, and/or the issuance of a Certificate of Occupancy

ii. Revoke any permit issued by the City to the applicant for the site in question or any other of the applicant's sites within the City's jurisdiction.

iii. Correct the deficiency or hire a contractor to correct the deficiency. The issuance of a permit constitutes a right-of-entry for the City or its contractor to enter upon the construction site for the purpose of correcting deficiencies in erosion control.

iv. Require reimbursement to the City for all costs incurred in correcting stormwater pollution control deficiencies. If payment is not made within thirty (30) days after costs are incurred by the City, payment will be made from the applicant's financial securities as described in Section G above.

v. If there is an insufficient financial amount in the applicant's financial securities as described in Section G above then the City may assess the remaining amount against the property. As a condition of the permit, the owner shall waive notice of any assessment hearing to be conducted by the City, concur that the benefit to the property exceeds the amount of the proposed assessment, and waive all rights by virtue of Minnesota Statute 429.081 to challenge the amount or validity of assessment.

12. Enforcement.

a. Penalties. Any person, firm, or corporation failing to comply with or violating any of these regulations, may be deemed guilty of a misdemeanor and be subject to a \$1,000 fine or 90 days imprisonment or both. All land use and building

permits must be suspended until the applicant has corrected the violation. Each day that a separate violation exists shall constitute a separate offense.

13. Abrogation and Greater Restrictions. It is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

In the event that there is a governing entity that has a more restrictive requirement, the more stringent requirement is required.

This Ordinance shall become effective after its passage and publication.

Adopted this 12th day of April, 2010


Dale Adams, Mayor

ATTEST:


Kimberly Johnson-Gibeau, City Clerk

Councilor Chandler seconded the foregoing ordinance and the following voted in favor thereof: McInerney, Zabinski, Christy, Chandler. Opposed: None, whereby the ordinance was declared duly passed and adopted.

**Notification of Failure of the Storm Water Pollution
Prevention Plan (SWPPP)**



Storm Water Permit Number: SWU12-024
Location Address: 3050 S US HWY 169 BL
Parcel Number: 91-718-0130
Original Security Deposit: \$1,000

Grand Rapids Development Gro
3027 Autumn Leaves Circle
Green Bay, WI 54313

6/6/2013

Dear Grand Rapids Development Group LLC

This letter is to notify you of a failure to comply with the City of Grand Rapids Storm Water Protection Ordinance regarding the permit and parcel described above. This notification is in concurrence with a phone call on 6/6/2013 at 1:30:00 PM.

You are hereby given seventy-two (72) hours to take corrective actions of the failure of erosion control measures. If corrective action is not taken after this period City at its discretion, may begin corrective work

The time and dates are as follows:

Notification was give on 6/6/2013 at 1:30:00 PM.

Corrective work to be done by 6/7/2013 at 1:30:00 PM.

The Storm Water Application you applied for indicated the types of erosion control measures to be used/installed on your construction site. As listed below:

silt fence, aggregate entrances, stabilize soils

The City has determined that to become compliant you must:

Need to repair or replace silt fence and sweep parking lot

The policy reads that after making a good faith effort to notify the responsible party or parties, the City has been unable to establish contact, the City may proceed with corrective work. There are conditions when time is of the essence in controlling erosion. During such a condition the City may take immediate action, and then notify the applicant as soon as possible. The City may access financial security for the remedial work undertaken by the City, or a private contractor under contract to the City, and to reimburse the City for all direct costs incurred in the process of the remedial work including, but not limited to, staff time and attorney's fees.

If at any time during the course of the work the amount of your financial security deposit falls below 50% of the required deposit, the Applicant shall make another deposit in the amount necessary to restore the cash deposit to the required amount. If the applicant does not bring financial security back up to the required amount within seven (7) days after notification, the City may withhold inspections for Certificate of Occupancy and/or revoke any permit issued by the City to the applicant for the site in question or any other of the applicant/s sites within the City's jurisdiction.

A full Storm Water Protection Ordinance is attached and is available on our website at www.grandrapidsmn.org.

Your quick response to this notification is greatly appreciated. If you have any questions regarding this notice please call me at 218-326-7601.

Regards,

A handwritten signature in blue ink, appearing to read "Travis Cole".

Travis Cole

City of Grand Rapids

Thank you for doing your part to prevent Storm Water runoff from polltuting our valuable waters!

Councilor Christy introduced the following ordinance and moved for its adoption:

ORDINANCE NO. 10-04-03

AN ORDINANCE RESCINDING ORDINANCE 09-04-03 IN ITS ENTIRETY
AND ADOPTING NEW STORM WATER PROTECTION ORDINANCE

A. Scope

Except where a variance is granted, any person, firm, sole proprietorship, partnership, corporation, state agency, or political subdivision proposing a land disturbance activity, requiring a grading or building permit within the City shall submit to the City for review and comment on the Stormwater Pollution Prevention Plan (SWPPP) and site plan. No land shall be disturbed until the plan is reviewed by the City and conforms to the standards set forth herein and applicable permits have been issued.

The provisions of the Storm Water Protection Ordinance shall apply to all sites that will disturb the ground.

Sites that have one or more acres of disturbed ground shall obtain a MPCA NPDES Construction Permit in addition to a City Storm Water Permit. Sites that are less than one acre can be waived at the discretion of City staff and require compliance with the provisions of this ordinance to preserve or protect water quality or a downstream resource. Plowing of soil for farming or gardening is exempt and does not require a permit although disturbances must have a minimum of 25 feet buffer from any drainage ditch (top of slope), storm sewer system, wetland or waterway. Vegetation must exist within the 25 feet buffer.

The provisions of the Waste Controls and Illicit Discharge and Inspections and Enforcement sections of this ordinance apply to all areas within the City at all times.

The definitions of terms in this ordinance correspond to the definitions in the most current MPCA NPDES Construction Permit.

B. Erosion and Sediment Control

Erosion and sediment control, at a minimum, shall meet the requirements and provisions defined in the most current Minnesota Pollution Control Agency (MPCA) National Pollution Discharge Elimination System (NPDES) General Storm Water Permit for Construction Activities, also referred to as the NPDES Construction Permit.

C. Waste Controls and Illicit Discharge

1. Illegal Disposal

- a. No person shall throw, deposit, place, leave, maintain, or keep or permit to be thrown, placed, left, maintained or kept, any refuse, rubbish, garbage, or any other discarded or abandoned objects, articles, or accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure,

business place, or upon any public or private plot of land in the City, so that the same might be or become a pollutant, except in containers, recycling bags, or other lawfully established waste disposal facility.

b. No person shall intentionally dispose of grass, leaves, dirt, or other landscape debris into a water resource buffer, street, road, alley, catch basin, culvert, curb, gutter, inlet, ditch, natural watercourse, wetland, flood control channel, canal, storm drain or any fabricated natural conveyance.

2. Illicit Discharges and Connections

a. No person shall cause any illicit discharge to enter the municipal storm water system unless such discharge: (1) consists of non-storm water that is authorized by an NPDES point source permit obtained from the MPCA; or (2) is associated with fire fighting activities.

b. No person shall use any illicit connection to intentionally convey non-storm water to the City storm water system.

3. Good Housekeeping Provisions - Any owner or occupant of property within the City shall comply with the following good housekeeping requirements:

a. No person shall leave, deposit, discharge, dump, or otherwise expose any chemical or septic waste in an area where discharge to streets, storm drain system, or waters of the State as defined by the MPCA, may occur. This section shall apply to both actual and potential discharges.

b. Storage of Materials, Machinery, and Equipment

i. Objects, such as motor vehicle parts, containing grease, oil or other hazardous substances, and unsealed receptacles containing hazardous materials, shall not be stored in areas susceptible to runoff or discharge to a storm water system.

ii. Any machinery or equipment that is to be repaired or maintained in areas susceptible to runoff shall be placed in a confined area to contain or collect leaks, spills, or discharges without discharge to the storm water system.

iii. Any storage of materials that are exposed to the environment such as; salt, salt/sand or sand, that are susceptible to runoff or discharge into a storm water system, public or private, shall be covered in a manner that will eliminate the leeching of chemicals and/or sediment and must apply for storm water permit for inspection and monitoring.

c. Removal of Debris and Residue - Debris and residue shall be removed, as noted below:

- i. Fuel and chemical residue or other types of potentially harmful material, such as animal waste, garbage or batteries, which is located in an area susceptible to runoff, shall be removed as soon as possible and disposed of properly. Household hazardous waste shall not be placed in a trash container.

D. Storm Water Controls

A project that changes land use and/or runoff conditions will be required to maintain the existing peak flow rates and hydrologic conditions for the 2-year, 10-year, and 100-year rainfall events.

In addition, all storm water must be discharged in a manner that does not cause nuisance conditions, erosion in receiving channels or on downslope properties, or inundation in wetlands causing an adverse impact to the wetlands.

E. Maintenance Agreement for Privately Owned Storm Water Systems

For storm water systems that are on private property or owned by an entity other than the City and discharge within the City, an agreement for maintenance and inspections of the system must be submitted to and approved by the City.

F. Plan Review and Inspections

SWPPP Requirements. The SWPPP shall include all requirements of the most current NPDES Construction Permit and address the applicable provisions of this ordinance.

Inspections as defined in this provision do not fulfill the inspections and maintenance requirements as defined in the NPDES Construction Permit.

1. Review - City may review and comment on the SWPPP.

2. Modification of Plan. Modifications to the SWPPP or plans shall be submitted to the City for review.

G. Inspections and Enforcement.

1. City inspections and enforcement - The City may conduct inspections on a regular basis to monitor erosion and sediment control practices. In all cases the inspectors will attempt to work with the builder or developer to maintain proper erosion and sediment control at all sites. A charge of \$55.00 per hour will be assessed for any inspections that are necessary. In cases where cooperation is withheld, construction stop work orders may be issued by the City until erosion and sediment control measures meet the requirements of this ordinance.

2. Construction stop order -The City may issue construction stop orders until stormwater management measures meet specifications. A second stormwater management inspection must then be scheduled and passed before the final inspection will be done.

3. Perimeter breach - If stormwater management measures malfunction and breach the perimeter of the site, enter streets, other public areas, or water bodies, the applicant shall immediately notify the City and initiate corrective measures within 48 hours. If in the discretion of the City, the applicant does not repair the damage caused by the stormwater runoff, the City can do the remedial work required and charge the cost to the applicant.

4. Actions to ensure compliance -The City can take the following action in the event of a failure by applicant to meet the terms of this ordinance:

- a. Withhold inspections or issuance of certificates or approvals
- b. Revoke any permit issued by the City to the applicant
- c. Conduct remedial or corrective action on the development site or adjacent site affected by the failure
- d. Charge applicant for all costs associated with correcting the failure or mitigating damage from the failure. If payment is not made within thirty days, payment will be made from the applicant's financial securities.
- e. Bring other actions against the applicant to recover costs of remediation or meeting the terms of this ordinance, which are not covered by financial securities.
- f. Any person, firm or corporation failing to comply with or violating any of these regulations, shall be deemed guilty of a misdemeanor and be subject to a fine of \$1,000 or imprisonment of 90 days or both. Each day that a separate violation exists shall constitute a separate offense.

5. Financial Securities. The applicant shall provide security for the performance of the work described and delineated on the approved Stormwater Pollution Prevention Plan and related remedial work in an amount of \$1,000 for each parcel of disturbed property. This amount shall apply to the maximum acreage of soil that will be simultaneously exposed during the project's construction. The form of the securities shall be one or a combination of the following to be determined by the City:

a. **Cash deposit** -

b. **Securing deposit** - Deposit, either with the City, a responsible escrow agent, or trust company, at the option of the City.

i. an irrevocable letter of credit or negotiable bonds of the kind approved for securing deposits of public money or other instruments of credit from one or more financial institutions, subject to regulation by the state and federal government wherein said financial institution pledges funds are on deposit and guaranteed for payment. The security deposit shall have an expiration date of not less than one year after approval of the storm water permit.

This security shall save the City free and harmless from all suits or claims for damages resulting from the negligent grading, removal, placement or storage of rock, sand, gravel, soil or other like material within the city.

**Blanket Financial Security Deposit
(for Licensed Contractors for Multiple Residential Permits within a construction season.)**

Licensed contractors working within the City can provide \$1,000 cash or letter of credit, dated 1 year from the first application, to cover a permit. Upon completion of a parcel permit the contractor can transfer the letter of credit to another parcel permit. The contractor must notify the City of each new construction area by remitting an application. This financial security deposit will be held by the City until parcel work sites are substantially complete.

6. Maintaining the Financial Security. If at anytime during the course of the work this amount falls below 50% of the required deposit or the dated letter of credit expires, the developer shall make another deposit in the amount necessary to restore the cash deposit or letter of credit to the required amount. If the developer does not bring the financial security back up to the required amount within seven (7) days after notification by the City that the amount has fallen below 50% of the required amount the City may:

- a. **Withhold inspections** - Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy.
- b. **Revocation of permits** - Revoke any permit issued by the City to the applicant for the site in question or any other of the applicant's sites within the City's jurisdiction.

7. Proportional Reduction of the Financial Security. When more than one-third of the applicant's maximum exposed soil area achieves final stabilization, the City can reduce the total required amount of the financial security by one third. When more than two-thirds of the applicant's maximum exposed soil area achieves final stabilization, the City can reduce the total required amount of the financial security to two-thirds of the initial amount. This reduction in financial security will be determined by the City staff.

8. Action Against the Financial Security. The City may access financial security for remediation actions if any of the conditions listed below exist. The City shall use the security to finance remedial work undertaken by the City, or a private contractor under

contract to the City, and to reimburse the City for all direct cost incurred in the process of remedial work including, but not limited to, staff time and attorney's fees.

- a. **Abandonment** - The developer ceases land disturbing activities and/or filling and abandons the work site prior to completion of the grading plan.
- b. **Failure to implement SWPPP** - The developer fails to conform to the grading plan and/or the SWPPP as approved by the City.
- c. **Failure to perform** - The techniques utilized under the SWPPP fail within one year of installation.
- d. **Failure to reimburse City** - The developer fails to reimburse the City for corrective action taken.

9. Emergency Action. If circumstances exist such that noncompliance with this ordinance poses an immediate danger to the public health, safety and welfare, as determined by the City, the City may take emergency preventative action. The City shall also take every reasonable action possible to contact and direct the applicant to take any necessary action. Any cost to the City may be recovered from the applicant's financial security.

10. Returning the Financial Security. The security deposited for faithful performance of the SWPPP and any related remedial work shall be released after the completion of the installation of all stormwater pollution control measures as shown on the grading and/or the SWPPP and approval/acceptance of City staff.

11. Notification of Failure of the SWPPP. The City may notify the permit holder of the failure of the SWPPP's measures.

a. **Initial contact.** The initial contact will be to the party or parties listed on the application and/or the SWPPP as contacts. Except during an emergency action, forty-eight (48) hours after notification by the City of the failure of erosion control measures, or non-compliance of the permit, the City at its discretion, may begin corrective work. Such notification should be in writing, but if it is verbal, a written notification should follow as quickly as practical. If after making a good faith effort to notify the responsible party or parties, the City has been unable to establish contact, the City may proceed with corrective work. There are conditions when time is of the essence in controlling erosion. During such a condition the City may take immediate action, and then notify the applicant as soon as possible

b. **Erosion off-site.** If erosion breaches the perimeter of the site, the applicant shall immediately develop a cleanup and restoration plan, obtain the right-of-entry from the adjoining property owner, and implement the cleanup and restoration plan within forty-eight (48) hours of obtaining the adjoining property owner's

permission. In no case, unless written approval is received from the City, may more than seven (7) calendar days go by without corrective action being taken. If in the discretion of the City, the permit holder does not repair the damage caused by the erosion, the City may do the remedial work required. When restoration to wetlands and other resources are required, the applicant should be required to work with the appropriate agency to ensure that the work is done properly.

c. Erosion into streets, wetlands or water bodies. If eroded soils (including tracked soils from construction activities) enter or appear likely to enter streets, wetlands, or other water bodies, cleanup and repair shall be immediate. The applicant shall provide all traffic control and flagging required to protect the traveling public during the cleanup operations.

d. Failure to do corrective work. When an applicant fails to conform to any provision of this policy within the time stipulated, the City may take the following actions.

i. Issue a stop work order, withhold the scheduling of inspections, and/or the issuance of a Certificate of Occupancy

ii. Revoke any permit issued by the City to the applicant for the site in question or any other of the applicant's sites within the City's jurisdiction.

iii. Correct the deficiency or hire a contractor to correct the deficiency. The issuance of a permit constitutes a right-of-entry for the City or its contractor to enter upon the construction site for the purpose of correcting deficiencies in erosion control.

iv. Require reimbursement to the City for all costs incurred in correcting stormwater pollution control deficiencies. If payment is not made within thirty (30) days after costs are incurred by the City, payment will be made from the applicant's financial securities as described in Section G above.

v. If there is an insufficient financial amount in the applicant's financial securities as described in Section G above then the City may assess the remaining amount against the property. As a condition of the permit, the owner shall waive notice of any assessment hearing to be conducted by the City, concur that the benefit to the property exceeds the amount of the proposed assessment, and waive all rights by virtue of Minnesota Statute 429.081 to challenge the amount or validity of assessment.

12. Enforcement.

a. Penalties. Any person, firm, or corporation failing to comply with or violating any of these regulations, may be deemed guilty of a misdemeanor and be subject to a \$1,000 fine or 90 days imprisonment or both. All land use and building

permits must be suspended until the applicant has corrected the violation. Each day that a separate violation exists shall constitute a separate offense.

13. Abrogation and Greater Restrictions. It is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

In the event that there is a governing entity that has a more restrictive requirement, the more stringent requirement is required.

This Ordinance shall become effective after its passage and publication.

Adopted this 12th day of April, 2010


Dale Adams, Mayor

ATTEST:


Kimberly Johnson-Gibeau, City Clerk

Councilor Chandler seconded the foregoing ordinance and the following voted in favor thereof: McInerney, Zabinski, Christy, Chandler. Opposed: None, whereby the ordinance was declared duly passed and adopted.

Grand Rapids, MN
Storm Water Utility
Best Management Practices Credit
Policy
(As per Section 1.2 of Ordinance No. 04-08-10)

Background

On August 9, 2004 the Grand Rapids City Council approved a Storm Water Utility Ordinance No. 04-08-10 (Ordinance Chapter 24, section 1.0 through 1.6) to finance the City's Storm Water Management Program. In addition, the Utility will be utilized to finance compliance with the City's National Pollution Discharge Elimination System Phase II (NPDES Phase II) Storm Water Pollution Prevention Plan (SWPPP) for the City's Municipal Separate Storm Sewer Systems (MS4) as outlined in the City's Storm Water Permit when required by the Minnesota Pollution Control Agency (MPCA). The Utility provides for credits for the use of Storm Water Best Management Practices (BMPs) such as storm water ponds, green space, undeveloped land, etc. The amount of the credit will be determined by the City Engineer and approved by the City Council. A property owner may appeal to the City Council regarding a determination of the credit once per calendar year. If the credit is approved, the credit will be applied within 90 days of approval. No retroactive credits will be approved or applied to billings.

Per section 1.2 Credits of the Ordinance:

The Council may adopt policies, by resolution, for adjustment of the Storm Water Utility fees. Information to justify a fee adjustment must be supplied by the property owner. Such adjustments of fees shall not be retroactive. Credits will be reviewed regularly by a staff committee.

Commercial, Industrial, Institutional, Multi-family

A credit may be granted to a Commercial, Industrial, Institutional or Commercial Multi-family (apartments/condo) parcel that can demonstrate a minimum reduction of **20%** of the amount of storm water leaving the parcel via the use of an approved Storm Water Best Management Practice (BMP). Credits can be combined to account for a total reduction of up to **75%** of the Stormwater Utility Fee. Documentation must be provided to the City for evaluation of the claim. **Please provide the necessary drawings and calculations to support the claim. It is the applicant's responsibility to prove the claim. It is strongly suggested that a licensed professional engineer prepare the documentation.**

Examples of Best Management Practices

1. Storm water retention and infiltration systems (ponds), grassed swales and drainage from parking lots into grassed surfaces.

2. Storm Water Detention ponds may be eligible for a credit if the water from the ponds is discharged to the City's storm sewer system (MS4) at the pre-development rate, or as outlined in the city's Storm Water Ordinance.
3. Credits may be given to a parcel that is infiltrating storm water from roof structures into approved grass infiltration areas (rain garden). Consideration will be given to structures that are discharging to grass areas (direct discharge from roof or from a gutter system) if the grass area is of a sufficient size to handle the volume, is not steeply graded and has appropriate soils (Type A, B or C) for infiltration. Gutter systems discharging to impervious surfaces such as parking lots or plastic lined landscaping are NOT eligible for this credit.
 - 50%- 75% of Roof Surface discharging to infiltration area: 20% credit
 - 75%-90% of Roof Surface discharging to infiltration area: 25% credit
 - 91% -100% of Roof Surface discharging to infiltration area: 50% Credit
4. Credits may be given to a parcel where the parking lot is graded to sheet storm water off into a pervious surface such as grass, rain garden or wooded area if the area is of a sufficient size to handle the volume, is not steeply graded and has appropriate soils (Type A, B or C) for infiltration. Curb cut parking lot designs may also be considered, but must be documented by a PE for their design effectiveness.
 - 25% to 50% discharge to a pervious surface: 25% credit
 - 51% to 100% discharge to a pervious surface: 50% credit
 - "Rain Garden" parking lots engineered to meet the storm water ordinance requirements of a 2" rain are strongly encouraged and can be granted a credit of up to the maximum credit (75%) if the design treats 75% or more of the total storm water volume generated on the parcel (note: Storm water from buildings must also be considered).
5. NO CREDIT(S) will be granted for a BMP that has been (or is planned to) be turned over to the city for future maintenance. This includes BMPs required under the City's Storm Water and/or Erosion Control Ordinances if applicable.

Land Use Credits

A. Vacant Land Credit

Vacant land meeting the following criteria is to be **excluded** from the area used to calculate the monthly charge.

1. The property must not be developed in any way, or have been developed in the past ten (10) years. The property must reflect land in an "undisturbed, natural state" with non-impacted soils (i.e., the soils are not compacted).
2. The vacant land must represent at least 50% of the total parcel or be 1 acre or more in size.
3. Vacant land does not include "green space" as outlined below

B. Green Space Credit

Green space areas meeting the following criteria can be **excluded** from the area used to calculate the monthly charge.

1. Green spaces shall be contiguous pervious vegetated areas incorporated into the developed parcel.
2. The space shall not have more than 25% impacted, compacted soils.
3. Green space must be 20 feet or more away from the nearest impervious surface or structure.
4. The green space must be a minimum of 0.5 acre in size and not less than 25% of the total parcel.
5. Grassed parking areas that are utilized more than 15 days per year are excluded from the green space credit, as these are impacted, compacted soils.

MPCA Industrial Permit Credits and Charges:

If an Industry has their own Industrial Storm Water Permit for all or a portion of their property, the Industry and the City should enter into an agreement stating which portions of property should receive a credit from the storm water utility. This credit should amount to no more than the maximum of 75% of the storm water utility fee. The credit consideration should include:

- Does the storm water from the parcel discharge directly to the waters of the State or do they discharge into the City's MS4?
- Does this parcel(s) benefit from the City's MS4 including street curb and gutter?
- Does the storm water discharge meet all the requirements of NPDES and the MPCA?
- Does this discharge cause the City to have additional costs for Storm water quality or quantity requirements?
- Does the BMP meet current NPDES and MPCA standards?
- Who has legal authority and maintenance responsibilities for the BMP?

Authority

Administrative implementation of this policy was reviewed by the Grand Rapids City Council on November 22, 2004.

City of Grand Rapids, MN. Storm Water Utility

Best Management Practices Credit Form

Property Owner: _____

Street Address: _____

City _____ State _____ Zip _____

Parcel I.D. # _____

Contact Name: _____

Phone Number: _____

Email Address: _____

How should we contact you? Phone or Email? _____

When can we contact you with any questions?

Brief Description of the BMP or Land Use Credit:

For commercial, industrial and institutional properties only:

Estimated reduction in storm water volume: _____ %

Do the BMPs listed in the Documentation meet NPDES and MPCA standards? _____

Please attach any documentation supporting this claim to this application.

It is the applicant's responsibility to prove the claim

Signature _____ Date _____